

III. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-2, 5-8, and 11-18 are pending in the application. Claims 1, 8, and 13 are independent.

The undersigned would like to thank Examiner Tran for the cordial and productive interview of June 23, 2003. The Examiner's helpful comments and suggestions were instrumental in preparing this response.

Claims 1-20 were rejected as being unpatentable over Melocco, Brunelle, and Bialobrzkeski, for the reasons detailed at pages 2-7 of the Office Action. For the reasons discussed at the interview, Applicants respectfully traverse all art rejections.

Each of the independent claims recites a novel combination of structure and/or function whereby the returning bush (or hollow element, e.g., bush 7 in the embodiment of Fig. 1) has at least one end segment comprising two narrowings and one swelling (e.g., see the preferred embodiment described in the paragraph bridging pages 4-5 of the specification), the maximum internal diameter of the at least one end segment being less than the maximum internal diameter of non-end segments of

the returning bush (e.g., in Fig. 5, D4 is less than D2), said at least one end segment having a maximum wall thickness which is greater than maximum wall thicknesses of the non-end segments. In contrast, none of the cited art (taken individually or in combination) disclosed or suggests such a combination of features including those discussed above.

As discussed at the interview, in Melocco, the interior surface of the bushing is smooth and does not undulate or vary, as required by the claims. Furthermore, the bushing of Melocco does not have a maximum internal diameter of an end segment which is less than the maximum internal diameter of non-end segments. Also, Melocco fails to disclose or suggest an end segment which has a maximum wall thickness which is greater than the maximum wall thicknesses of the non-end segments.

As also discussed at the interview, Brunelle fails to disclose or suggest an end segment which has a maximum internal diameter which is less than the maximum internal diameter of non-end segments. Further, Brunelle fails to disclose or suggest an end segment which has a maximum wall thickness which is greater than the maximum wall thicknesses of the non-end segments.

As also discussed at the interview, Bialobrzkeski discloses a spring, but fails to disclose or suggest an end segment (comprising two narrowings and one swelling) which has a maximum wall thickness which is greater than the maximum wall thicknesses of the non-end segments. Furthermore, Applicants respectfully submit that the record does not establish sufficient motivation to combine Bialobrzkeski with the other applied art, absent hindsight reconstruction. The law is clear that a *prima facie* case of obviousness can be established **only** by showing some **objective** teaching in the cited art which would lead an individual of ordinary skill in this art to combine the relevant references. See *Ex parte Levengood*, 28 USPQ2d 1300, 1302 (Patent Office Board of Appeals 1993). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination. Under section 103, teachings of references can be combined **only** if there is some suggestion or incentive to do so. The mere fact that the prior art may be modified does not make the modification obvious unless the prior art suggested the desirability of the modification. See *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1578, 221 USPQ 929, 933 (Fed. Cir.

1984). It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. See *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991). Accordingly, Applicants respectfully submit that the salient claimed features of the present invention are nowhere disclosed or suggested by the cited art, whether that art is taken individually or in combination.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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